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Legal 11-6-03

Lacoste, David

From: Mattison, Jeanette [Jeanette.Mattison@BellSouth.com]  
Sent: Monday, November 03, 2003 6:10 PM  
To: Lacoste, David  
Subject: 2000-417-C Interconnection Agreement with ITC DeltaCom Communications



80120e59.pdf (455 KB)

BELLSOUTH

Williams Street, Suite 5200  
Columbia, South Carolina 29201

November 3, 2003

Mr. David Lacoste  
Public Service Commission of SC  
Post Office Drawer 11649  
Columbia, South Carolina 29211

Re: Approval of Interconnection Agreement Negotiated by BellSouth Telecommunications, Inc. and ITC DeltaCom Communications, Inc. pursuant to Sections 251, 252 and 271 of the Telecommunications Act of 1996  
Docket No. 2000-417-C

Dear Mr. Lacoste:

Pursuant to Section 252(e) of the Telecommunications Act of 1996, BellSouth Telecommunications, Inc. ("BellSouth") and ITC DeltaCom Communications, Inc. are submitting to the South Carolina Public Service Commission negotiated agreement for the interconnection of their networks. The agreement was negotiated pursuant to Sections 251, 252 and 271 of the Act.

Pursuant to Section 252(e) of the Act, the Commission is charged with approving or rejecting the negotiated agreement between BellSouth and ITC DeltaCom Communications, Inc. within 90 days of its submission. The Commission may only reject such an agreement if it finds that the agreement or any portion of the agreement discriminates against a telecommunications carrier not a party to the agreement or the implementation of the agreement or any portion of the agreement is not consistent with the public interest, convenience and necessity. Both parties represent that neither of these reasons exists as to the agreement they have negotiated and that the Commission should approve their agreement.

The effective dates of this agreement are from September 26, 2003 to December 20, 2004.

Very truly yours,

C. Lesley Addis

CLA/jbm  
Enclosures

I:\Public\Utilities\Interconnection Agreements\BellSouth\ITC DeltaCom 2000-417-C

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ACCEPTED FOR PROCESSING - 2019 November 20 10:55 AM - SCPSC - 2000-417-C - Page 1 of 4

# **BELLSOUTH® / CLEC Agreement**

***Customer Name: ITC DeltaCom Communications, Inc.***

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**By and Between**  
**BellSouth Telecommunications, Inc.**  
**And**  
**ITC DeltaCom Communications, Inc.**

## AGREEMENT

This Agreement, which shall become effective thirty (30) days following the date of the last signature of both Parties (Effective Date), is entered into by and between ITC^DeltaCom Communications, Inc. d/b/a ITC^DeltaCom and d/b/a Grapevine (ITC^DeltaCom), a Alabama corporation on behalf of itself and having an office at 4092 S. Memorial Parkway, Huntsville, Alabama 35802, and BellSouth Telecommunications, Inc., (BellSouth), a Georgia corporation, having an office at 675 W. Peachtree Street, Atlanta, Georgia, 30375, on behalf of itself and its successors and assigns. Notwithstanding any prior agreement of the Parties, the rates, terms and conditions of this Agreement shall not be applied retroactively prior to the Effective Date.

**WHEREAS**, the Telecommunications Act of 1996 (the "Act") was signed into law on February 8, 1996; and

**WHEREAS**, section 252(i) of the Act requires BellSouth to make available any interconnection, service, or network element provided under an agreement approved by the appropriate state regulatory body to any other requesting telecommunications carrier upon the same terms and conditions as those provided in the agreement in its entirety; and

**WHEREAS**, ITC^DeltaCom has requested that BellSouth make available the interconnection agreement in its entirety executed between BellSouth and AT&T Communications of the Southern States, Inc. (AT&T) dated December 21, 2001 for the state of South Carolina.

**NOW, THEREFORE**, in consideration of the promises and mutual covenants of this Agreement, ITC^DeltaCom and BellSouth hereby agree as follows:

1. ITC^DeltaCom and BellSouth shall adopt in its entirety, with the exception for those items identified in Paragraphs 2 - 20 as set forth below the AT&T Interconnection Agreement dated December 21, 2001 and any and all amendments to said agreement executed and approved by the appropriate state regulatory commission as of the date of the execution of this Agreement. The AT&T Interconnection Agreement and all amendments are attached hereto as Exhibit 1 and incorporated herein by this reference. The adoption of this agreement with amendment(s) consists of the following:

ITEM	NO. PAGES
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Exhibit 1 - AT&T Agreement	484
Amendment dated 4/18/02	56
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January 2003